4.1 AGRICULTURAL RESOURCES

4.1.1 Setting

The location of prime soils and agricultural uses within and adjacent to parcels that could be affected by implementation of the proposed ordinances will be used in evaluating the proposed project's impacts to agricultural resources. The following is a discussion of the agricultural setting within the County.

a. Regional Agricultural Resources. California is the leading state in agricultural production in the United States and San Luis Obispo County consistently ranks within the top 20 counties of the State in overall agricultural productivity.

Agriculture makes a substantial contribution to the County's economy and accounts for approximately 80% of the privately-owned land in the county. In 2008, San Luis Obispo County agricultural production totaled $606,745,000. The top five crops by value in San Luis Obispo County in ~~2005~~ 2008 included: wine grapes ($124,126,000), broccoli ($70,914,000), strawberries ($65,481,000), cattle and calves ($50,050,000), and vegetable transplants ($35,682,000). The cattle industry has been one of the top value agricultural commodities in the county since 1928, when crop reports were first conducted. The County has become an increasingly important wine-making region, and the trend of the 1990s to convert ranchlands to vineyards continues.

b. Agricultural Soils. The National Resource Conservation Service (NRCS) surveys soils and assigns a soil capability classification that is used to determine whether the soil is a prime or non-prime agricultural soil. Capability Classes provide insight into the suitability of a soil for field crop uses based on factors that include texture, erosion, wetness, permeability, and fertility. ~~By NRCS definition, Capability Class I and Class II soils qualify as prime soils, depending on irrigation.~~ The California Department of Conservation (DOC) identifies and designates important farmlands throughout the State (2006). According to the United States Department of Agriculture (USDA), Prime Farmland is land best suited for producing food, feed, forage, fiber and oilseed crops and is also available for cropland, pastureland, rangeland, and forestland. It has the soil quality, growing season and moisture supply needed to produce sustained high yields of crops economically when treated and managed (including water management) according to modern farming methods. As of 2006, the total area of Prime Farmland located within San Luis Obispo County was 39,724 acres, approximately 3.1% of the total area inventoried (1,302,168 acres) countywide (California Farmland Conversion Report, FMMP, 2006). This estimate of prime farmland includes only that farmland that was planted within the six years prior to the report.

In addition to prime farmland, the California Department of Conservation identifies other lands considered to be important farmland. These include the following (FMMP, 2006):

- *Farmland of Statewide Importance* – land other than Prime Farmland which has a good combination of physical and chemical characteristics for the production of crops, and has been used for the production of irrigated crops at some time during the two update cycles prior to the mapping date.

- *Unique Farmland* – land which does not meet the criteria for Prime Farmland or Farmland of Statewide Importance, that has been used for the production of specific high economic value crops at some time during the two update cycles prior to the mapping date. It has the special combination of soil quality, location, growing season, and moisture supply needed to produce sustained high quality and/or high yields of a specific crop when treated and managed according to current farming methods. Examples of such crops may include oranges, olives, avocados, rice, grapes, and cut flowers.
- *Farmland of Local Importance* – land that meets all the qualifications of Prime or Statewide Importance with the exception of irrigation. Additional farmlands include dryland field crops of wheat, barley, oats, and safflower.

c. Farmland Conversion. The conversion of prime agriculture lands to non-agricultural uses is a concern within the County and across the State. The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) tracks farmland conversion throughout California. According to the most recent FMMP survey for San Luis Obispo County, 15,455 acres of important farmland were converted to non-agricultural uses between 2004 and 2006 (refer to Table 4.1-1). Non-agricultural uses include Urban and Built-up Land and Other Land. The Urban and Built-up Land category includes land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes. Other Land includes land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

Table 4.1-1. County Farmland Conversion from 2004 to 2006

Land Use Category	Converted To (Acres)		
	Urban and Built-up Land	Other Land	Total Converted to Non-Ag Use
Prime Farmland	26	104	130
Farmland of Statewide Importance	36	81	117
Unique Farmland	24	181	205
Farmland of Local Importance	708	5,496	6,204
Important Farmland Subtotal	**794**	**5,862**	**6,656**
Grazing Land	593	8,206	8,799
Agricultural Land Subtotal	**1,387**	**14,068**	**15,455**

Source: California Farmland Conversion Report, FMMP, 2006

d. Valuation. Although acreage of agricultural land in San Luis Obispo County has declined, total agricultural production valuations from 1999 to 2008 have increased by over $211 million (refer to Table 4.1-2). Wine grapes continue to hold the top position for value in 2008; however the total valuation decreased approximately 12% from the 2007 value due to adverse

weather conditions. However, production of strawberries increased between 2007 and 2008, resulting in a valuation increase of more than 18% and an increase in acreage by 34%. Avocado production rose by approximately 79% indicating recovery from the low winter temperatures in 2007 (all from San Luis Obispo County Department of Agriculture/Weights and Measures Annual Crop Report, 2008).

Between 2007 and 2008, the total valuation of agricultural production decreased by over $30 million. This has been the only decrease occurring over the last ten years. Contributing factors included a late spring frost, a summer heat wave, and a continued trend of less-than-average rainfall (Crop Report, 2008). High fuel prices and other economic conditions may also have contributed to the decline in valuation.

Table 4.1-2. Comparison of Valuation of Major Groups During the Past Ten Years ($)

Year	Animal	Field	Nursery & Seed	Fruit & Nut	Vegetable	Total
1999	36,031,000	16,296,000	85,353,000	122,450,000	135,393,000	395,523,000
2000	36,012,000	16,053,000	93,171,000	166,779,000	175,643,000	487,658,000
2001	46,517,000	17,025,000	90,908,000	182,415,000	152,531,000	489,396,000
2002	46,161,000	15,595,000	97,377,000	167,555,000	156,687,000	483,375,000
2003	49,181,000	15,161,500	91,476,000	189,144,000	168,423,000	513,385,500
2004	59,620,000	15,342,100	101,156,000	195,712,000	167,606,000	539,436,100
2005	58,380,000	18,055,000	100,697,000	243,604,000	172,896,000	593,632,000
2006	64,244,000	17,477,000	108,066,000	236,491,000	204,336,000	630,614,000
2007	60,078,000	15,462,000	107,674,000	235,135,000	219,746,000	638,095,000
2008	53,848,000	17,335,000	102,300,000	229,835,000	203,427,000	606,745,000

Source: San Luis Obispo County Department of Agriculture Weights and Measures, 2008

~~d~~e. **Agricultural Preserves (Land Conservation Act).** The County's agricultural preserve program was created to implement the California Land Conservation Act of 1965, also known as the Williamson Act. Passed by the California Legislature over 40 years ago, the program was designed to protect agricultural and open space lands from urban development. The preservation tool also serves as a tax relief program allowing local governments to enter into contracts with private landowners for the purpose of restricting specific land parcels to agricultural or related open space use. In turn, landowners are able to receive lower tax assessments based on agricultural or open-space uses rather than speculative value. The state has traditionally partially reimbursed participating counties with subvention funds for this foregone tax revenue from contracted properties.

Lands that enter into the County's agricultural preserve program are subject to zoning restrictions including parcel size restrictions ranging from 40 acres for prime land and 100 acres for nonprime land. A Williamson Act contract is a legal contract between a landowner and a land-regulating agency under the Williamson Act (i.e., the County). Under Williamson Act contract, the property owner agrees not to develop the property for a period of 10 to 20 years. The contract automatically renews each year for a new 10-year period unless the owner files a Notice of Non-Renewal to indicate his or her intention to terminate the contract at the end of the current 10-year period. Williamson Act contracts may also be terminated by a public agency if the property under contract is being acquired for another purpose in the public's interest under eminent domain or other public acquisition procedures.

~~e~~f. Regulatory Setting.

San Luis Obispo County Agriculture and Open Space Element. The Agriculture and Open Space Element of the San Luis Obispo County General Plan provides a background on agricultural and open space resources within the County. Through the goals, policies, implementation programs and measures provided within the document, the County's intent is "To promote and protect the agricultural industry of the County, to provide for continuing sound and healthy agriculture in the County, and to encourage a productive and profitable agricultural industry."

California Land Conservation Act of 1965. California Land Conservation Act of 1965, also known as the Williamson Act, encourages and enables local governments to enter into contracts with private landowners to restrict specific parcels of land to agricultural or related open space use (refer to Section 4.1.1.d). In return, landowners receive property tax assessments that are much lower than normal because they are based upon fanning uses rather than full market value. Local governments receive a subsidy for forgone property tax revenues from the state via the Open Space Subvention Act of 1971.

San Luis Obispo County "Right-to-Farm" Ordinance. The San Luis Obispo County "Right-to-Farm" Ordinance states that the use of real property for agricultural operations is a high priority and favored use. Ordinance No. 2561 (August, 1992), added Chapter 5.16 to Title 5 of the San Luis Obispo County Code relating to Agricultural Lands, Operations, and The Right To Farm. Paragraph 'b' of Section 5.16.020 (Findings and Policy) states:

> *Where non-agricultural land uses occur near agricultural areas, agricultural operations frequently become the subjects of nuisance complaints due to lack of information about such operations. As a result, agricultural operators may be forced to cease or curtail their operations. Such actions discourage investments in farm improvements to the detriment of agricultural uses and the viability of the County's agricultural industry as a whole.*

The right-to-farm ordinance advises purchasers of residential and other property types adjacent to existing agricultural operations of the inherent potential problems associated with the purchase of such property. Such concerns may include, but are not limited to, the noises, odors, dust, chemicals, smoke and hours of operation that may accompany agricultural operations.

Pre-existing agricultural uses are not a nuisance (Section 5.16030). California Civil Code Section 3479 defines a "nuisance" as anything which is injurious to health, is indecent or offensive to the senses, or is an obstruction to the use of property, so as to interfere with the comfortable enjoyment of life or property. San Luis Obispo County has determined that the use of real property for agricultural operations is a high priority and favored use to the County, and those inconveniences or discomforts arising from legally established agricultural activities or operations, as defined in the San Luis Obispo County Code, or State law, shall not be or become a nuisance. Therefore, proposed projects near agricultural lands will continue to be subject to those inconveniences or discomforts arising from adjacent and surrounding agricultural operations which, if conducted in a manner consistent with State law and County code, shall not be or become a nuisance.

4.1.2 Impact Analysis

a. Methodology and Significance Thresholds. The focus of this analysis is to determine if any component of the project would result in the conversion of farmland to non-agricultural uses, result in agricultural compatibility impacts, or otherwise significantly impact the ability of the land to be farmed.

In accordance with Appendix G of the State CEQA Guidelines, impacts would be significant if the project would result in any of the following:

- *Convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use;*
- *Conflict with existing zoning for agricultural use, or a Williamson Act contract; and/or*
- *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use*

Additionally, the County of San Luis Obispo has established local thresholds pertaining to agricultural resources. Impacts would be significant if development resulting from the project would do any of the following:

- *Convert prime agricultural land to non-agricultural use;*
- *Impair agricultural use of other property or result in conversion to other uses;*
- *Conflict with existing zoning or Williamson Act program.*

Therefore, for the purposes of this analysis, any project activity resulting in an impedance of agricultural activities or potentially resulting in a substantial loss of agricultural productivity will be considered a potentially significant impact.

b. Project Impacts and Mitigation Measures.

Impact AG-1 The proposed Grading and Stormwater Management Ordinances would modify current development standards. This could lead to a potential change in development patterns and a change in physical impacts to agricultural resources. Impacts would be Class II, *significant but mitigable.*

Future development occurring under the Grading and Stormwater Management Ordinances could permanently convert areas in agricultural production to non-agricultural uses, thereby reducing the amount of agriculturally productive land throughout the County. This conversion could occur given proposed requirements for additional erosion and sedimentation control and stormwater management facilities. The proposed ordinance revisions will not allow an increase in intensity or density of development beyond what is already anticipated by the General Plan. It is reasonable to conclude that the potential for converting agricultural lands to non-agricultural uses could have occurred even without the implementation of the proposed ordinance revisions, since these parcels would have been developed, albeit at a lower urban density. Nonetheless, some agricultural conversion could occur.

Additionally, grading and development occurring subject to this ordinance could result in the removal of topsoil. In some cases, topsoil can be of much higher quality for farming purposes than soils encountered through excavation. Removal, disposal, or exportation of topsoil could reduce the overall agricultural productivity of a site.

Although the proposed ordinances would not necessarily result in more agricultural conversion compared to current zoning, development of affected parcels in accordance with the ordinances could nonetheless convert agricultural land to non-agricultural uses. Therefore, impacts related to agricultural conversion are Class II, *significant but mitigable*.

Mitigation Measures. The following mitigation measures are required:

AG-1(a) **Project-Specific Consideration of Development on ~~Prime~~ Farmland.** Projects which are subject to environmental review shall be considered for consistency with the Agriculture and Open Space Element. Under the County's established thresholds of significance, removal of prime farmland from production shall be considered an impact. Referrals shall be provided to the Agricultural Commissioner's office for projects occurring on or near agricultural lands. Criteria for evaluating projects relative to agricultural impacts shall include whether non-agricultural development has been located off of farmland to the maximum extent feasible.

AG-1(b) **Restoration of Topsoil.** Topsoil that has been removed from the surface in preparation for grading shall be stored on or near the site protected from erosion while grading operations are underway, provided that such storage may not be located where it would cause suffocation of root systems of trees intended to be preserved or near a watercourse where sedimentation may occur. After completion of such grading, topsoil is to be restored to exposed cut and fill embankments or building pads to provide a suitable base for seeding and planting. This measures shall be incorporated into the grading ordinance.

AG-1(c) **Avoid Prime Soils.** As a criteria for grading permit approval, non-agricultural development shall avoid prime soils to the maximum extent feasible.

Significance after Mitigation. With the incorporation of the above mitigation measures, the impacts would be less than significant.

Impact AG-2 The proposed Grading and Stormwater Management Ordinances would limit development on slopes over 30 percent. This could potentially result in development occurring on important farmland, where slopes tend to be more level. Impacts would be Class I, *significant and unavoidable.*

The purpose of the proposed Grading and Stormwater Revisions is to minimize illicit discharges resulting from erosion, sedimentation, and other discharges from construction sites. Additionally, the ordinance revisions propose to minimize long-range post-construction discharges by incorporating design features into certain types of projects. Minimizing development on 30 percent slopes will serve to reduce erosion and sedimentation, as these sites are often the most at risk for sediment discharge and are the most difficult to employ long term erosion control measures, such as revegetation.

As a consequence of requiring Variance approval to develop on slopes greater than 30 percent, development will be more likely to occur on more level terrain. Variance approval can only be granted where the applicant can demonstrate that there is a unique circumstance affecting the property, such as topography or sensitive vegetation, and that they are not being granted a special privilege beyond what other adjacent property owners enjoy.

In general, slopes in excess of 30 percent tend to be less agriculturally productive. Under NRCS standards, soil classes (when irrigated) tend to occur as follows:

- Class I soils – between 0 and 2 percent
- Class II soils – between 0 and 9 percent
- Class III soils – between 0 and 15 percent
- Class IV soils – between 0 and 30 percent
- Class VI soils – between 9 and 50 percent
- Class VII soils – between 9 and 75 percent
- Class VIII soils – between 9 and 100 percent

The Variance process can be lengthy and costly. The time and fees required could serve to dissuade agriculturalists who have a legitimate claim for a Variance to avoid development on prime agricultural soils. Avoiding the Variance process by placing structures on slopes of less than 30 percent would result in a less costly and less time consuming permitting process.

The Variance requirement would, in effect, have the potential to dis-incentivize locating development on steeper slopes. As discussed earlier, slopes in excess of 30 percent tend to have less desirable farmland, with soil classes ratings of VI through VIII. Compelling development to occur on less steep terrain could have the consequence of impacting otherwise productive agricultural soils. In these circumstances, it can be reasonably anticipated that this standard may cause removal of prime agricultural soils from production.

Mitigation Measures. Mitigation Measure AG-1(a), above, requires that development be located off of prime soils to the maximum extent feasible. Projects will be considered on a case-by-case basis through the environmental review process. In addition to Measure AG-1(a), the following mitigation measure is required:

AG-2(a) **Director Determination.** In cases where prohibiting development on steep terrain would require that development otherwise occur on prime farmland, the Director shall use his/her discretion to waive the 30 percent limitation. Waiver of ordinance requirements may be authorized under

Land Use Ordinance Section 22.52.180 / Coastal Zone Land Use Ordinance Section 23.05.054.

Significance after Mitigation. Implementation of the above measure would incrementally reduce the impact. However, in cases where the Director chooses not to waive the 30 percent limitation, or where the applicant does not request waiver, the impact could still occur. In these cases, the impact, even after the incorporation of mitigation measures, will remain significant.

Impact AG-3 The proposed Grading and Stormwater Management Ordinances would add procedural requirements to certain classes of agricultural grading in the inland areas. These changes could discourage agriculturalists from expanding production. This would be a Class II, *significant but mitigable*, impact.

The proposed Grading and Stormwater Management Ordinances would impose additional procedural requirements on certain types of agricultural grading. An example of these requirements include the following:

- To qualify for agricultural exemption, applicant's must first fill out and file a form with the Department of Planning and Building.
- To qualify for alternative review through the Natural Resources Conservation Service or Resource Conservation Districts, the applicant must first fill out and file a form with the Department of Planning and Building.
- Grading to create new fields for crop production or grazing on slopes between 20 percent and 30 percent must now go through the alternative review process to be exempt from a County grading permit.
- Constructing a new agricultural road less than 16 feet in width must now go through the alternative review process to be exempt from a County grading permit.
- Constructing a new agricultural road with a width of more than 16 feet now requires a grading permit. Exemptions no longer apply.
- Constructing recreational trails on a property now must be reviewed through the alternative review process in order to be exempt from a County grading permit.
- Certain projects involving conservation, enhancement, and restoration of streams and drainage ways may need to go through the alternative review process in order to be exempt from a County grading permit.
- Grading which occurs in violation of ordinance standards is no longer eligible to go through the alternative review process.

Additional changes are proposed to the ordinances which would affect all projects. These changes include the following:

- Prohibiting development on slopes of more than 30 percent unless a Variance has been obtained.
- Expanding the requirements for drainage plans.
- Requiring that a Stormwater Pollution Prevention Plan (SWPPP) be reviewed by the County for projects involving one acre or more of site disturbance.

The additional procedural requirements may discourage agriculturalists from expanding crop production.

Mitigation Measures. The following mitigation measures are required:

AG-3(a) **Exemption from 30 Percent Slope Limitation.** Crop production, grazing, agricultural exempt structures, and roads exclusively supporting these uses shall be exempt from the 30 percent slope limitation.

AG-3(b) **Enhanced Exemption for Ongoing Agriculture.** Grading for the ongoing production of food and fiber, the growing of plants, and the raising and keeping of livestock shall be exempt when all of the following are true:

- The proposed grading activities are limited to preparing a field for a crop or range improvement, harrowing, disking, ridging, listing, chaining, planting, harvesting, re-planting, and irrigating.
- For at least one of the preceding five years, the land to be graded has been subject to agricultural practices. These practices include, but are not limited to, active fallowing, grazing, irrigation of pastures, crop production, cultivation, disking, harrowing, raking or chiseling, planting, plowing, seeding, or other tilling.
- All site work complies with Natural Resources Conservation Services (NRCS) recognized agricultural practices contained in the Field Operations Technical Guide (FOTG), and effective erosion and sedimentation control measures will be implemented.
- The site work does not involve tilling or ripping deeper than two feet on slopes identified by the NRCS as having a high or very high erosion hazard rating.
- The grading does not involve construction of or modification to dams, ponds, reservoirs, or roads.

These projects shall be exempt as-of-right, and shall not require verification of an agricultural exemption form by the Department of Planning and Building before work may proceed.

AG-3(c) **Exemption from Drainage Plan Preparation.** Crop production, grazing, agricultural exempt structures, and roads exclusively supporting these uses shall be exempt from drainage plan requirements.

AG-3(d) **Exemption from Stormwater Pollution Prevention Plan Preparation.** Agricultural uses which are subject to waiver or conditional waiver of coverage under the State Water Resources Control Board's General Construction Permit, shall also be exempt from County requirements pertaining to Stormwater Pollution Prevention Plan (SWPPP) preparation and implementation. This measure shall be implemented under the grading ordinance.

Significance after Mitigation. With the incorporation of the above mitigation measures, the impacts would be less than significant.

Impact AG-4 The proposed Grading and Stormwater Management Ordinances would expand the agricultural exemption and introduce the Alternative Review Program to the Coastal Zone. This could potentially benefit agriculture by streamlining the regulatory process for agriculturalists, and may result in additional agricultural production. This is a Class IV, *beneficial*, impact.

The proposed Grading and Stormwater Management Ordinances include a proposal to expand the agricultural exemption and introduce the alternative review process to specified agricultural grading in the Coastal Zone. Exemption from grading permit requirements would not affect any thresholds for land use permits or a Coastal Development Permit as they are presently established in the Local Coastal Program. The exemption would extend to the grading permit requirement only, and would not affect any land use permitting requirements.

By offering exemptions for new fields, pipelines, and small reservoirs, agriculturalists pursing these improvements would not be required to file for a permit or pay a permitting fee. This removes an impediment to the improvement of agricultural lands. The agriculturalists conducting the exempt grading would still be responsible to ensure that all permitting requirements have been met from other local, state, and federal agencies. Additionally, the agriculturalist would be required to employ the use of effective erosion and sedimentation control measures.

The alternative review process, overseen by the Natural Resources Conservation Service (NRCS) and the Resource Conservation Districts (RCDs) offers a collaborative approach to the grading process. NRCS and RCD have staff with specific expertise on agricultural practices and soil erosion prevention. Additionally, these agencies can advise agriculturalists on the most appropriate Best Management Practices to employ. In general, obtaining entitlement through the alternative review process is less costly, less time consuming, and more flexible than the standard County grading permit process.

By streamlining the process, allowing more flexibility, and encouraging collaboration with NRCS and RCD, agricultural grading will be able to be accomplished while minimizing costs and time delays. This is a benefit to the agriculturalist and may result in additional agricultural production beyond what otherwise may have occurred.

Mitigation Measures. No mitigation measures are necessary, as the impact is not significant.

Significance after Mitigation. The impact would be less than significant.

Impact AG-5 The proposed Grading and Stormwater Management Ordinances would modify current development standards. This could lead to a potential change in development patterns and potentially result in

impacts to agricultural resources as a result of dust generated by grading activities. Impacts would be Class III, *less than significant*.

The Grading and Stormwater Management Ordinances will require that additional erosion and sedimentation control and stormwater management facilities be incorporated into projects. These requirements could result in additional ground disturbance for projects that are required to accommodate these facilities. The site work, itself, could then generate dust. Dust can indirectly impact agricultural operations and crop production.

Section 4.2.2 of this document discusses Air Quality impacts and mitigation measures. Projects will be required to incorporate certain measures to prevent the emission of fugitive dust. Larger scale projects will require additional measures be undertaken. These measures will ensure that dust generated as a result of the proposed Grading and Stormwater Management Ordinances will be less than significant.

Mitigation Measures. With the incorporation of the Air Quality dust control mitigation measures, no additional mitigation measures will be required.

Significance after Mitigation. Impacts will not be significant.

Impact AG-6 The proposed Grading and Stormwater Management Ordinances would modify current development standards. This could result in a change in location for proposed development. Locating such development in close proximity to agricultural uses could result in a potential land use conflict. This is a Class II, *significant but mitigable*, impact.

The standards and requirements proposed to be implemented under the Grading and Stormwater Management Ordinances could affect the location and design of future development. The revisions will require that most new development include erosion and sedimentation control, drainage, and stormwater pollution prevention Best Management Practices (BMPs). Additionally, the ordinances will require consistency with Low Impact Development (LID) practices which are to be established by the County.

These requirements could limit development in such a way as to situate an incompatible use in an area where it may affect and be affected by adjacent agricultural uses. Examples of uses which are incompatible with agricultural uses include residences, schools, nursing homes, and other urbanized uses such as industrial and commercial development.

Residential development adjacent to farmland can have several negative impacts on continued on-site and adjacent agricultural production activities. Direct physical impacts resulting from trespassing may include vandalism to farm equipment and theft of crops. These can result in indirect economic impacts. Other indirect impacts to agriculture from nearby urban uses can affect the long-term viability of such operations. Increased regulations and liability insurance to protect the farmer from adjacent urban uses cost time and money. Some farmers sensitive to nearby public uses voluntarily limit their hours of operation and do not intensively use the portions of their property closest to urban uses, in effect establishing informal buffer zones on their own property.

This has the effect of lowering the crop yield, and therefore the long-term economic viability, of agricultural operations.

Residents living adjacent to farmland commonly cite odor nuisance impacts, noise from farm equipment, dust, and pesticide spraying as typical land use conflicts. The County's right to farm ordinance provides, as a good neighbor policy, for disclosure to residents of the inherent potential problems associated with the purchase of residential properties adjacent to agricultural uses [Sec 5.16.020]. In addition, the ordinance also provides for alternative dispute resolution [Sec 5.16.090].

The County Department of Agriculture/Weights and Measures maintains recommended standards for setbacks (buffers) and screening techniques between urban development and agricultural property. Buffers are used to address a range of compatibility issues that can either impact the agricultural operation (trespass, litter, vandalism, theft and general liability issues) or adjacent residents (dust, day and night-time noise, odor and heavy vehicle traffic). The Agricultural Commissioner has the authority to impose spray buffers and other restrictions to pest management practices due to development or other potential hazards near agricultural operations. However, some legal pesticides are restricted if residences are in close proximity. Therefore, the development of residences in close proximately to agricultural operations can limit certain legal pesticide applications. The County of San Luis Obispo has developed agricultural buffer polices and procedures that recommend buffer distance ranges for intensive and non-intensive agricultural uses from proposed residential uses. Intensive uses include vineyards and row crops and non-intensive uses include rangeland/pasture uses. The County requires vineyard and row crop buffers ranging between 200 to 600 feet, and rangeland buffers are recommended of 50-~~100~~ 200 feet from residential uses.

Mitigation Measures. The following mitigation measure is required:

AG-6(a) **Review for Consistency with Buffer Policy.** Projects which are subject to environmental review shall be considered for consistency with the Agriculture and Open Space Element. Through this process, the County's Buffer Policy, established as Appendix D of the Agriculture and Open Space Element, shall be employed. Projects which are not found to be consistent with the County's buffer policy shall be mitigated to the maximum extent feasible.

Significance after Mitigation. With the incorporation of the above mitigation measure, impacts will be reduced to an insignificant level.

Impact AG-7 **The proposed Grading and Stormwater Management Ordinances would strengthen erosion and sedimentation requirements, employment of agricultural practices, and enforcement procedures. This would ultimately result in a decrease in erosion, sedimentation, and drainage impacts on agricultural operations. This is a Class IV, *beneficial*, impact.**

The purpose of the Grading and Stormwater Revisions is to comply with National Pollutant Discharge Elimination System (NPDES) requirements relating to stormwater discharges.

Measures are currently being implemented under the County's Stormwater Management Program (SWMP). The SWMP includes six different types of measures, as discussed in Section 2.4 of this document. Of these measures, the Grading and Stormwater Ordinance targets construction site runoff control and post-construction runoff control.

These construction and post construction measures are to be implemented by requiring the preparation of an erosion and sedimentation control plan, a drainage plan, and/or a Stormwater Pollution Prevention Plan (SWPPP), depending on site and project characteristics. These plans and their implementation will have the effect of reducing overall erosion, sedimentation, and siltation, all of which affect water quality.

Where development projects requiring grading permits will occur in proximity to agricultural uses, this will have the effect of reducing impacts from erosion, sedimentation, and siltation on agricultural land. This would improve the viability of the agricultural land and reduce the negative effects that improper construction and grading techniques could have on agricultural land. The result would be a Class IV, *beneficial*, impact.

Mitigation Measures. No mitigation measures are necessary, as the impact is not significant.

Significance after Mitigation. The impact would be less than significant.

c. Cumulative Impacts. Cumulative development throughout the greater San Luis Obispo County area would gradually convert agricultural land to non-agricultural use. Future development required as a result of the proposed ordinance amendments could incrementally contribute to this substantial change. The Grading and Stormwater Management Ordinances' contribution to a cumulative agricultural resources impact would be less than significant after the recommended mitigation for project specific impacts. In addition, individual development projects in the region would have the potential to create compatibility conflicts relating to the interface of historic agricultural uses and new urban development. Such conflicts would be addressed on a case-by-case basis, and assuming that conflicts can be resolved through the proper use of buffers and appropriate design, significant cumulative land use compatibility conflicts are not anticipated.